

**Wisconsin Department of Natural Resources**  
**AB 334 – Car-Killed Wild Animals**  
Assembly Committee on Natural Resources  
Wednesday, October 26, 2011 9:00 AM  
**417 North (GAR Hall)**  
Presented by: Thomas Van Haren

To understand the reason for this bill, it is helpful to understand how the state looks at ownership of wild animals.

**Section 29.011, of the statutes states:** The legal title, custody and protection of all wild animals within this state is vested in the state for the purposes of regulating the use, disposition, and conservation of these wild animals. Legal title to a wild animal or carcass, taken or possessed in violation of the law remains with the state.

Killing wild animals with a vehicle is not a lawful method of harvesting a wild animal and reducing it to possession. In 1975, the legislature created a law that says any person who accidentally hits and kills a deer with a vehicle may retain possession of the deer, if they first have it tagged by the DNR.

This law was later amended to allow other law enforcement officers to also tag such deer. The tags are furnished by the DNR, and the agency returns a copy of the completed tag to the DNR.

It is not legal for individuals to simply pick up and retain for free other species of wild animals that might be killed accidentally by a vehicle.

Since car-killed wild animals other than deer belong to the state the department either:

1. retains such dead animals for department use if needed,
2. sell them if salvageable and not needed by the state,
3. or disposes of them appropriately if not salvageable.

Unsalvageable small animals are typically disposed of by hwy crews.

**This bill accomplishes 2 primary things.**

**First**, this bill will allow individuals who accidentally hit & kill a bear or a wild turkey on a roadway with motor vehicle to retain that animal and obtain a fee tag for it.

This would work the same as what happens now for a CKD.

As with car-killed deer, if the driver of the striking vehicle does not want to keep the bear or turkey, any other person present at the scene may request a free tag for the bear or turkey.

If this bill becomes law, it would be our intention to revise the current Vehicle-killed Deer Tags which are issue by the department to other local LE agencies.

The revised CKD tag would simply have a check off box for a deer, bear or turkey. No additional tags or forms will be required.

Local agencies will not need to respond to the scene just to issue a tag. If contacted for a tag, they may authorize the person to simply bring the animal to them, or to take the animal to a specific registration station set up by our department and have the animal tagged there.

**Secondly**, this bill deals with the disposition of many species of small game animals.

Under this bill any species which is not protected, endangered or threatened, and is **not a bobcat, fisher or otter**, can be picked up and retained by the driver or any other person at the scene, provided:

- a. the season is open for that species and
- b. the person has a hunting or trapping license that authorize possession of that species.

No tag would be needed to pick up, possess or retain these animals.

Bobcat, Fisher and Otter still may not be retained by the vehicle operator under this bill. These are highly valuable and sought after special permit species which the department monitors the harvest of very closely.

These 3 are also C.I.T.E.S\* species, which means they may not be imported or exported from the US without a special C.I.T.E.S tag. The department normally collects and retains the carcass of these 3 species when killed accidentally by trappers, possessed illegally, or found along the road dead. They normally are not sold or turned over to the vehicle operator or person who finds them, unless the dept. has no need for them.

The carcasses are generally all used during trapper education classes and a special trapper education and fur course used to train new wardens, wildlife biologists and others on trapper education, how to identify different fur, determining the method of kill, and how to skin and put up the fur.

A few years ago the legislature directed that money from the sale of such furs be deposited into a special fund to help support the trapper education program.

This bill does not create a situation where these highly valuable species, which have a very limited allowable annual harvest quota, could be illegally trapped or killed without a special harvest permit and the person then claims that they just found the animal dead along the road.

**END**

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### **Facts & Figures**

On average, the DNR picks up and sells or disposes of about 150 bears that are killed by cars.

The number of turkeys killed by vehicles is unknown, but not a lot of people request tags for car-killed turkeys. Turkeys are often too badly damaged and not salvageable after being stuck by a car.

On average, there are about 30,000 deer killed by cars each year. Have been as many as 42,000.

Only between 3,500 – 4,000 individuals request a free tag to keep a car-killed deer.

Most of the rest have to be removed by contractors who dispose of the carcasses for the state.

**C.I.T.E.S.** (the Convention on International Trade in Endangered Species) is an international agreement between governments. Its aim is to ensure that international trade in specimens of wild animals and plants does not threaten their survival.

NR 10.001(25c) **"Small game"** means all varieties of wild mammals and birds for which there is an open season, but **does not** include deer, moose, elk, bear, wild turkey or **endangered, threatened or protected species** of game.

20.370(1) (Lq) **Trapper education program.** As a continuing appropriation, all moneys remitted to the department under s. 29.597 (3), an amount equal to the amount calculated under s. 29.331 (3m), all moneys received from the sale of skins processed as part of the trapper education program under s. 29.597, and all moneys received from fees collected under s. 29.563 (12) (c) 3. for the trapper education program under s. 29.597.